IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

THURSDAY, THE 19TH JULY 2007 / 28TH ASHADHA 1929

WP(C).No. 36106 of 2004(W)

PETITIONER:

MICHAEL JOSEPH, AGED 68,
S/O. JOSEPH, 257, GIRINAGAR, KOCHI-20.

BY ADV. SRI.P.V.GEORGE(PUTHIYIDAM)

RESPONDENTS:

1. CIRCLE INSPECTOR OF POLICE,
THEVARA POLICE STATION, THEVARA, ERNAKULAM.

2. STATION HOUSE OFFICER, ERNAKULAM
TOWN SOUTH POLICE STATION, THEVARA, ERNAKULAM.

3. MR.VIDYADHARA PANICKER,
NEDUMTHALATH HOUSE, KUNDANNOOR, MARADU P.O.,
ERNAKULAM.

4. REMESH, ASST.STORE KEEPER,
NAVAL BASE, KOCHI, NAVALSHIP REPAIR YARD.

5. P.R.JAYARAJAN, ASST.STORE KEEPER,
NAVALSHIP REPAIR YARD, NAVAL BASE, KOCHI.

R1 & R2 BY ADV. SRI.SHYSON P. MANGUZHA, GOVT. PLEADER

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1 : TRUE COPY OF THE NOTICE DT.21.6.02.

EXT.P2 : TRUE COPY OF THE WARRANT DT.21.6.02 ISSUED IN CP NO.16 OF 2002.

EXT.P3 : TRUE COPY OF THE LETTER DT.16.07.04.

PIUS C. KURIAKOSE, J.

W.P.(C) No. 36106 OF 2004

Dated this the 19th day of July, 2007

JUDGMENT

Sri.Binu Raj R who is representing Sri.P.B. Asokan has placed before me death certificate pertaining to one Sri.Vidhyadharan. It is submitted that the said death certificate pertains to the 3rd respondent Vidhyadhara Panicker. I accept the above submission and close the Writ Petition on the basis that the subject matter of the Writ Petition has become infructuous, since there is no question of executing warrant against a dead person. Even otherwise I notice that the Circle Inspector of Police, 1st respondent, has filed a statement in which he has given a fairly convincing explanation as to why the warrant could not be executed then far.

PIUS C. KURIAKOSE, JUDGE

btt